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12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
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15 DAISY PENA, an individual,
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17 Plaintiff,
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19 vs.
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21 NISSAN NORTH AMERICA, INC., a
22 Delaware Corporation, and DOES 1
23 through 10, inclusive,
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25 Defendants.
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CASE NO. 2:24-cv-05238-MRA-MAA
Honorable Monica Ramirez Almadani
Ctrlm. 10B

**JUDGMENT RE OFFER OF
JUDGMENT PURSUANT TO
FEDERAL RULES OF CIVIL
PROCEDURE, RULE 68**

Action Filed: June 23, 2023

Trial Date: October 2, 2024

JUDGMENT

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Plaintiff DAISY PENA (“Plaintiff”) accepted Defendant Nissan North America, Inc.’s (“Nissan”) Offer of Judgment to Fed. R. Civ. P. 68.

1. Accordingly, the Court enters JUDGMENT in favor of Plaintiff in the amount of \$47,825.52 (Forty-Seven Thousand Eight Hundred Twenty-Five Dollars and Fifty-Two Cents) pursuant to the terms of the Rule 68 Offer.

2. Plaintiff shall reserve the right to petition the Court for an award of reasonably and actually incurred attorney fees and costs recoverable pursuant to California Code of Civil Procedure Section 1794(d). Any such motion shall be filed no later than 14 days after entry of judgment. In ruling on Plaintiff’s fee/cost motion(s), the attorneys’ fees, expenses, and costs amount shall be calculated as if Plaintiff was found to have prevailed in this action under section 1794(d) of the California Code of Civil Procedure as of the date of this offer of judgment. Nissan expressly reserves all defenses to Plaintiff’s fee/costs motion(s) and any award thereon. Nissan will pay the amounts determined by the Court within 30 days after entry of the award unless either party has filed a notice of appeal.

3. Plaintiff will deliver the Subject Vehicle to Nissan on a date, time, and place mutually agreeable to the parties and no later than 180 days after Plaintiff’s counsel has accepted Nissan’s offer.

DATED: June 4, 2025


HONORABLE MONICA RAMIREZ ALMADANI
U.S. DISTRICT JUDGE